

**EXHIBIT  
B**

NORTH CAROLINA

**FILED**

IN THE GENERAL COURT OF JUSTICE  
SUPERIOR COURT DIVISION

BRUNSWICK COUNTY

2021 OCT 15 P 3:26

FILE #:

21 CVS 1965

BERNARD KEITH HURLEY and  
SARAH L. HURLEY individually, and as )  
Administrators of the Estate of )  
ASHER GABRIEL HURLEY, )

Plaintiffs, )

vs. )

FANCY FLEA ANTIQUE MALL, INC., )  
d/b/a FANCY FLEA ANTIQUE MALL, )  
Defendant. )

COMPLAINT  
(Jury Trial Demanded)

Plaintiffs, complaining of Defendant, allege the following:

1. Plaintiffs are the parents of Asher Gabriel Hurley, deceased, (hereinafter referred to as Asher), and are the duly appointed Administrators of his estate opened in Washington County, Virginia. (See Certificate/Letter of Qualification attached hereto as Exhibit A.)
2. On information and belief, Defendant is a corporation organized under the laws of North Carolina with its principal office at 2505 Sunrise Street, SW, Supply, Brunswick County, North Carolina, 28462. (See Business Corporation Annual Report dated 3/26/2020 attached hereto as Exhibit B.)
3. During all times alleged herein, Defendant was operating a place of business located at 2773 Highway 17 in Shallotte, North Carolina, under the name of Fancy Flea Antique Mall (hereinafter referred to as Fancy Flea).
4. Defendant, on its website, described Fancy Flea as a business that was more than just antiques:

“With over 6,000 square feet of inventory and new items added each week, The Fancy Flea Antique Mall is a great place to find unique items for the home or the perfect gift.

The Fancy Flea Antique Mall also performs Estate Sales.

Serving Brunswick County and surrounding areas since 2007.

Come in and get inspired.”

5. Defendant, also on its website, stated that Fancy Flea provided consignment services for individuals who wish to “consign your high quality, gently loved items.”
6. That at all times alleged herein, Defendant maintained one central checkout station for all items sold at Fancy Flea. Defendant either provided employees, apparent agents, or compensated volunteers to staff said checkout station. All sales were required to be checked out at this station, which was owned, maintained, and staffed by Defendant’s employees, apparent agents, or compensated volunteers.
7. That at all times alleged herein, Defendant received a percentage of the sale of all goods which were sold, handled, distributed or disposed of by Defendant through its employees, apparent agents, or compensated volunteers that staffed the checkout station at Fancy Flea.
8. That on or about June 12, 2020, members of Plaintiffs’ family were visiting in Brunswick County, North Carolina, and stopped in the Fancy Flea in response to Defendant’s advertising on its building located in Shallotte, North Carolina.
9. That on or about June 12, 2020, a member of Plaintiffs’ family, Elena E. Hurley, bought several items from Fancy Flea, including a novelty item which appeared to be a replica of a military hand grenade that was marked, “PRACTICE” (hereinafter referred to as novelty item).
10. Elena E. Hurley used her debit card when she purchased the novelty item and other merchandise from Fancy Flea on or about June 12, 2020. (A copy of her bank statement reflecting this purchase is attached hereto as exhibit C.)

11. The novelty item purchased by Elena E. Hurley was sold as an inert copy of a military hand grenade, and there was absolutely no warning or instruction that this novelty item was anything but safe and suitable to be handled by persons of any age.
12. That at all times alleged herein, Defendant was not in the business of selling, handling, distributing or disposing of firearms, ammo, flammables or fireworks at Fancy Flea.
13. That at all times alleged herein, Defendant did not have a license or permit to sell, handle, distribute or dispose of firearms, ammo, flammables or fireworks at Fancy Flea.
14. Plaintiffs are advised, informed, and believe that Defendant, through its employees, apparent agents, and compensated volunteers, believed and represented that the novelty item was safe to be handled by consumers of all ages.
15. Elena E. Hurley brought back the novelty item and presented it to Plaintiff, Bernard Keith Hurley, as a birthday gift, who in turn gave it to his son, Asher.
16. Plaintiffs' son, Asher, had a fascination with toy soldiers, and military memorabilia, and had previously received an inert practice hand grenade which he had handled safely for some time.
17. That on or about December 23, 2020, approximately six months after the purchase of the novelty item from Defendant, Asher was handling the novelty item when suddenly, and without warning, the novelty item exploded, fatally injuring Asher. (A copy of the autopsy report is attached hereto as exhibit D.)
18. Asher's sole heirs are his parents, the Plaintiffs, Bernard Keith Hurley and Sarah L. Hurley.

BREACH OF IMPLIED WARRANTY OF MERCHANTABILITY

19. That the allegations of Paragraphs 1-18 of Plaintiffs' Complaint are incorporated herein by reference as fully as if set out verbatim.
20. That at all times alleged herein, Fancy Flea was a "merchant" as defined by N.C.G.S. § 25-3-104.
21. Defendant through its business, Fancy Flea, breached the implied warranty of merchantability when through its employees, apparent agents, or compensated volunteers, it sold, handled, or distributed the novelty item as fit for the ordinary purposes for which such goods or novelty items are used in violation of N.C.G.S. § 25-2-314(2).
22. The novelty item was not "merchantable" at the time of sale by Fancy Flea as it was, in fact, a dangerous live grenade and not fit to be sold, handled, or distributed as a novelty item to the general public.
23. That the novelty item did not appear to be a dangerous live grenade when the item was purchased, and no member of the Hurley Family nor anyone else modified, altered, or changed the novelty item after its purchase from Fancy Flea.
24. That the defect or condition of the novelty item being a live hand grenade amounted to a breach of an implied warranty of merchantability and proximately caused the fatal injuries suffered by Asher.
25. Defendant received timely notice through local and federal law enforcement agencies that Fancy Flea had sold, handled, or distributed a novelty item which turned out to be a live hand grenade.
26. Defendant through its business, Fancy Flea, failed to provide warnings or instructions when its employees, apparent agents, or compensated volunteers sold, handled, or distributed the novelty item.

CLAIM FOR WRONGFUL DEATH

27. That the allegations of Paragraphs 1-26 of Plaintiffs' Complaint are incorporated herein by reference as fully as if set out verbatim.
28. That Plaintiffs, as duly appointed Administrators of the Estate of Asher Gabriel Hurley, are entitled to recover damages pursuant to N.C.G.S. § 28A-18-2 for the wrongful death of Asher Gabriel Hurley as follows:
- A. Expenses for the care, treatment and hospitalization incident to the injury resulting in death;
  - B. Compensation for pain and suffering of the decedent;
  - C. The reasonable funeral expenses of the decedent;
  - D. The present monetary value of the decedent to the persons entitled to recover the damages recovered, including but not limited to compensation for the loss of reasonably expected:
    - i. Net income of the decedent,
    - ii. Services, protection, care and assistance of the decedent, whether voluntary or obligatory, to the persons entitled to the damages recovered,
    - iii. Society, companionship, comfort, guidance, kindly offices and advice of the decedent to the persons entitled to the damages recovered.

### CLAIM FOR PROPERTY DAMAGE

29. That the allegations of Paragraphs 1-26 of Plaintiffs' Complaint are incorporated herein by reference as fully as if set out verbatim.
30. The explosion of the novelty item on or about December 23, 2020, proximately damaged the residence owned by the individual Plaintiffs, and thereby reduced its fair market value in an amount as will be shown at trial in excess of TWENTY-FIVE THOUSAND DOLLARS (\$25,000).
31. The explosion of the novelty item on December 23, 2020, proximately damaged the personal property of the individual Plaintiffs in an amount as will be shown at trial in excess of TWENTY-FIVE THOUSAND DOLLARS (\$25,000).

### CLAIM FOR INFLICTION OF SEVERE EMOTIONAL DISTRESS

32. That the allegations of Paragraphs 1-26 of Plaintiffs' Complaint are incorporated herein by reference as fully as if set out verbatim.
33. Plaintiffs were in close proximity to Asher when the novelty item exploded.
34. Plaintiffs discovered Asher in his room shortly after the explosion of the novelty item, and carried Asher downstairs, and attempted to resuscitate him, and called 911. (A copy of said 911 call is attached as exhibit E, and a copy of a picture of Asher's body is attached hereto as Exhibit F.)
35. The explosion of the novelty item on December 23, 2020, proximately caused Plaintiffs to suffer severe emotional distress including but not limited to chronic depression, severe and disabling anxiety, and other emotional or mental conditions recognized and diagnosed by professionals trained to do so.

WHEREFORE, Plaintiffs demand:

- A. Judgment against Defendant for a sum in excess of TWENTY-FIVE THOUSAND DOLLARS (\$25,000) for the wrongful death of Asher Gabriel Hurley;
- B. Judgment against Defendant for a sum in excess of TWENTY-FIVE THOUSAND DOLLARS (\$25,000) for the property damage;
- C. Judgment against Defendant for a sum in excess of TWENTY-FIVE THOUSAND DOLLARS (\$25,000) for the infliction of severe emotional distress;
- D. Prejudgment interest, post-judgment interest, costs, and attorneys' fees (if authorized);
- E. Any further relief that the Court deems appropriate; and
- F. Trial by jury.

OCTOBER 15, 2021  
Date

BAKER LAW FIRM, PLLC

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dcollins@attydc.com  
Attorney for Plaintiffs

**CERTIFICATE/LETTER OF QUALIFICATION**

COMMONWEALTH OF VIRGINIA

VA. CODE §§ 6.2-893, 6.2-1171, 6.2-1365, 6.2-1367, 6.2-2011, 6.2-506, 6.2-607

Court File No. 210000105

Washington County Circuit Court

I, the duly qualified clerk/deputy clerk of this Court, **CERTIFY** that on March 16, 2021

DATE

BERNARD KEITH HURLEY , SARAH L. HURLEY,

NAME(S) OF PERSON(S) QUALIFYING

duly qualified in this court, under applicable provisions of law, as **Administrator** under Va. Code § 8.01-50 of the estate of

ASHER GABRIEL HURLEY

☒ DECEASED ☐ MINOR ☐ INCAPACITATED

The powers of the fiduciary(ies) named above continue in full force and effect.

\$2,000.00 bond has been posted.

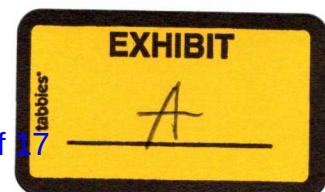
Given under my hand and the seal of this Court on

March 16, 2021

DATE

PATRICIA S MOORE, Clerk

by Rhonda H. Roop, Deputy Clerk







# BUSINESS CORPORATION ANNUAL REPORT

10-2017

NAME OF BUSINESS CORPORATION:

Fancy Flea Antique Mall, Inc.

SECRETARY OF STATE ID NUMBER: 1010740

STATE OF FORMATION: NC

REPORT FOR THE FISCAL YEAR END: 12/31/2020

Filing Office Use Only

E - Filed Annual  
Report  
1010740

☒ Changes

## SECTION A: REGISTERED AGENT'S INFORMATION

1. NAME OF REGISTERED AGENT: Oliveira, Ella M.

2. SIGNATURE OF THE NEW REGISTERED AGENT: \_\_\_\_\_

SIGNATURE CONSTITUTES CONSENT TO THE APPOINTMENT

3. REGISTERED AGENT OFFICE STREET ADDRESS & COUNTY 4. REGISTERED AGENT OFFICE MAILING ADDRESS

2773 HWY 17

2773 HWY 17

SHALLOTTE, NC 28470 Brunswick County

SHALLOTTE, NC 28470

## SECTION B: PRINCIPAL OFFICE INFORMATION

1. DESCRIPTION OF NATURE OF BUSINESS: Flea Market

2. PRINCIPAL OFFICE PHONE NUMBER: (910) 755-6665

3. PRINCIPAL OFFICE EMAIL: Privacy Redaction

4. PRINCIPAL OFFICE STREET ADDRESS

5. PRINCIPAL OFFICE MAILING ADDRESS

2773 HWY 17

2773 HWY 17

SHALLOTTE, NC 28470

SHALLOTTE, NC 28470

6. Select one of the following if applicable. (Optional see instructions)

☐

The company is a veteran-owned small business

☐

The company is a service-disabled veteran-owned small business

## SECTION C: OFFICERS (Enter additional officers in Section E.)

NAME: Ella M. Oliveira

NAME: \_\_\_\_\_

NAME: \_\_\_\_\_

TITLE: President

TITLE: \_\_\_\_\_

TITLE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PO BOX 1468

SHALLOTTE, NC 28459

SECTION D: CERTIFICATION OF ANNUAL REPORT. Section D must be completed in its entirety by a person/business entity.

Ella M. Oliveira

4/11/2021

SIGNATURE

DATE

Form must be signed by an officer listed under Section C of this form.

Ella M. Oliveira

President

Print or Type Name of Officer

Print or Type Title of Officer

This Annual Report has been filed electronically.

MAIL TO: Secretary of State, Business Registration Division, Post Office Box 29525, Raleigh, NC 27626-0525

EXHIBIT

Tabbles

B

# FCB DDA all except 120 & 122

Date 7/07/20  
Primary Account  
Branch 141  
Enclosures

Page 2  
22805758

Elena E Hurley  
Sarah Hurley  
269 King St NW  
Abingdon VA 24210-2709

COMMUNITY FREE CHECKING

22805758 (Continued)

## Checks and withdrawals

Date	Description	Amount
6/10	DBT CRD 1134 06/09/20 96890187 BEACH LIFE RESORT WEAR OCEAN ISLE BE NC C#5896	7.47-
6/11	DBT CRD 1108 06/09/20 81179087 FLAMINGO ROW OCEAN ISLE BE NC C#5896	10.69-
6/12	DBT CRD 1042 06/11/20 65415754 METROPCS MOBILE 888-863-8768 WA C#5896	50.00-
6/15	DBT CRD 1259 06/12/20 47773146 SQ *AZIO MEDIA SHALLOTTE NC C#5896	28.64-
6/15	DBT CRD 1440 06/12/20 08020248 FANCY FLEA ANTIQUE MAL SHALLOTTE NC C#5896	41.96- ★
6/15	ATM W/D 1000 06/15/20 00002073 First Community Bank VA 340 W Main St Abingdon VA C#5896	140.00-
6/17	DBT CRD 1944 06/16/20 26811782 WASABI BRISTOL VA C#5896	12.48-
6/18	POS DEB 1336 06/18/20 17350402 Wal-Mart Super Center 0154 WAL-SAMS ABINGDON VA C#5896	70.56-
6/18	POS DEB 1403 06/18/20 00003045 DOLLAR-GENERAL # 564 E MAIN ST ABINGDON VA C#5896	11.60-
6/19	DBT CRD 1107 06/18/20 80264936 LOWE S #2974 ABINGDON VA C#5896	34.73-
6/22	DBT CRD 1213 06/21/20 20225152 APPLE.COM/BILL	.99-

#63 - 1231 Framed  
Vintage Print Mushrooms  
\$25.00 firm - each





DEPARTMENT OF HEALTH  
OFFICE OF THE CHIEF MEDICAL EXAMINER  
6600 NORTHSIDE HIGH SCHOOL ROAD, SUITE 100  
ROANOKE, VIRGINIA 24019-2836  
PHONE: (540) 561-6615

DO NOT DUPLICATE

AUTOPSY No: W-763-20  
DAY/DATE: 12-24-2020  
TIME: 10:10 AM

REPORT OF AUTOPSY

DECEDENT: ASHER HURLEY  
AUTOPSY AUTHORIZED BY: SARA OHANESSIAN, MD, ACTING MEDICAL EXAMINER FOR WASHINGTON COUNTY

BODY IDENTIFIED BY:  
Virginia State Police

PERSONS PRESENT AT AUTOPSY:  
Mr. Meador

Rigor: Complete      Livor: Faint pink, fixed      Distribution: Posterior  
Age: 12 years      Race: White      Sex: Male      Length: 59"      Weight: 85 lbs.      Eyes: Green  
Hair: Brown      Mustache: No      Beard: No      Circumcised: Yes      Body Heat: Refrigerated

CLOTHING, PERSONAL EFFECTS, SCARS, TATTOOS, OTHER IDENTIFYING FEATURES:

CLOTHING: The decedent is received wearing a white long-sleeved shirt, gray cargo pants, and red boxer briefs each with tattered anterior surfaces and soot deposition. Also one white-gray sock.

PERSONAL EFFECTS: A food wrapper and paper within the pants pocket.

GENERAL EXTERNAL EXAMINATION: The decedent is a white male with an overall appearance consistent with the reported age of 12 years. Multiple areas of soot deposition are present on the face, anterior torso, and extremities. The face exhibits multiple round to oval to elongated discrete defects ranging from 1/16" up to a 2 1/2" complex laceration at the left cheek. The orientation of the defects: round at the right-sided chin, 11-5:00 at the right forehead, 12-6:00 at the right supraorbital ridge, 1-7:00 at the left forehead, and 3-9:00 at the left cheek. The superior and posterior scalp is uninjured. The bilateral orbits are disrupted, the bilateral zygomatic bones exhibit palpable fractures, the upper incisors are displaced, and the mid-portion of the mandible is fractured and displaced. The maxilla and mandible otherwise show natural dentition. The neck exhibits 1/8" round defects at the anterior aspect and 1/4"-3/8" elongated defects at the left aspect, but is otherwise symmetrical and free of crepitus and hypermobility. There are numerous, widespread discrete oval to elongated defects of the anterior torso, 1/16" to 1 1/2". The orientation of the defects: 10-4:00 at the right lateral chest, 11-5:00 at the right mammillary line, 12-6:00 at the mid-chest, and 8-2:00 at the left side of the chest. Defects extend to the abdomen, suprapubic region, and genitalia. The chest exhibits palpable ribcage fractures. The back is symmetric and free of osseous deformity. There is a faint pink-yellow abrasion at the left lower back. The penis is circumcised and testes are bilaterally palpable within the scrotal sac. The upper and lower extremities exhibit muscle mass appropriate for age. The right arm exhibits multiple round to oval defects, 1/8"-1/2", with a 12-6:00 orientation involving the flexor surfaces of the upper arm and forearm. Additionally, there are two stellate perforations, 1/4", at the right posterior shoulder. The right distal radius-ulna is fractured (with inferior-pointing skin tags) and the right hand is not present. Defects of the left arm involve the flexor surfaces, and range from 1/16" and pinpoint up to a 1 1/4" complex laceration at the flexor wrist. The orientation of the defects: round at the upper arm, 12-6:00 at the flexor forearm, and 9-3:00 (anterior-posterior) at the right palmar/radial hand. Additionally, there are two stellate perforations, 1/8" and 3/8" at the left posterior arm. Injury to the left hand shows associated gray charring. There is avulsion of the left 2<sup>nd</sup> distal phalanx. The left hand is received bagged with a paper bag and duct tape. Fingernails average 1/8". The right leg exhibits avulsion involving the anterior thigh and medial calf, measuring approximately 21" vertically and 9" horizontally at the thigh, including transection of femoral vessels. Skin tags are horizontal medial-pointing at the level of the patella. There are visible fractures of the mid-femur and distal tibia/fibula, and pinpoint defects with a 12-6:00 orientation at the anterior/medial ankle. There are multiple additional perforations at the posterior thigh, 1/2" to 2 1/4". The left leg exhibits a 3" x 2" complex laceration with dense 1/16"-3/8" defects at the left upper anterior thigh with an 8-2:00 orientation. There is a relative area of sparing of the upper-mid anterior thigh. The left lower anterior thigh and medial calf/ankle show multiple irregular to elongated defects, 1/16" to 1 1/2", with an 11-5:00 orientation. There is a perforation with underlying projectile at the left dorsal foot.

SCARS: None seen.

TATTOOS: None.

EVIDENCE OF THERAPY: EKG leads on the arms and ankles.

RADIOLOGY: Full-body radiographs exhibit numerous irregular foreign radiopacities corresponding to recovered metal projectiles.

HISTORY: "Grenade" explosion.

Cause of death: PENETRATING INJURIES OF HEAD, TORSO, AND EXTREMITIES  
Final Report: 5 pages

The facts stated herein are true and correct to the best of my knowledge and belief.

1/27/21  
Date Signed

OCME Roanoke, Va.  
Place of Autopsy

Signature of Pathologist  
Sara Ohanessian, M.D.

A COPY TESTE

SARA OHANESSIAN, M.D.  
Assistant Chief Medical Examiner



Autopsy W-763-20 ASHER HURLEY

**PATHOLOGICAL DIAGNOSES:**

Penetrating injuries of head/neck:

- Skull and facial bone fractures.
- Acute subdural and subarachnoid hemorrhage.
- Cerebral parenchymal lacerations.
- Left carotid artery perforation.

Penetrating injuries of torso:

- Anterior rib fractures.
- Perforations of heart, bilateral lungs, liver, and stomach.

Penetrating injuries of extremities:

- Fragmentation of right hand/wrist.
- Avulsion of right thigh.
- Numerous lacerations and perforations.

Recovery of multiple irregular metal and black plastic fragments from solid organs and soft tissue.

## GROSS DESCRIPTION

**SKIN:** Numerous penetrating injuries as described.

**SEROUS CAVITIES:** Multiple perforations of the pleura, pericardium, and peritoneum. 75 cc of blood is present within the right pleural cavity and 35 cc within the pericardial sac.

**HEART:** 170 grams. Three full-thickness perforations of the anterior right ventricle and one perforation of the interventricular septum. The coronary arteries arise in the usual fashion and follow a right distribution with minimal atherosclerosis. The endocardium and valves are grossly unremarkable. The myocardium is red-tan throughout without fibrosis. The left ventricle measures 1.2 cm in thickness, the interventricular septum 1.3 cm, and the right ventricle 0.3 cm.

**GREAT VESSELS:** Perforation of the left carotid artery. The thoracoabdominal aorta and its branches demonstrate minimal atherosclerotic changes without injury.

**NECK ORGANS:** The left anterior strap muscles contain hemorrhage. The hyoid bone and laryngeal cartilages are intact with no evidence of fracture. A single perforation at the anterior larynx. The anterior cervical spine is free of fracture, dislocation and ligamentous tears. The thyroid gland is hemorrhagic.

**LUNGS:** Right lung- 210 grams, left lung- 170 grams. The lungs are properly lobated. Perforations with associated hemorrhagic parenchyma of the left lower and right middle and lower lobes. The tracheobronchial tree exhibits smooth, tan respiratory mucosa. Uninvolved pulmonary parenchyma shows minimal congestion. There is no indication of consolidation, thrombosis, embolism, infarction, or neoplasia.

**LYMPH NODES:** No significant enlargement or evidence of metastatic disease.

**LIVER:** 820 grams. Multiple perforations at the anterior right and left lobes. The capsule is otherwise smooth. Uninvolved parenchyma is soft and tan without mass or lesion.

**GALLBLADDER:** Contains approximately 5 cc of thick tan bile without calculi.

**SPLEEN:** 140 grams. The splenic capsule is smooth and intact. Serial sections show soft, red parenchyma with an unremarkable ratio of red and white pulp.

**PANCREAS:** The pancreas exhibits the usual lobular architecture and minimal autolysis. The pancreatic ducts are patent and of unremarkable caliber.

**ADRENAL GLANDS:** The bilateral adrenal glands are grossly unremarkable and occupy their normal anatomic positions at the anterosuperior poles of the kidneys.

**GI TRACT:** The esophagus progresses along its usual course to enter the stomach with intact white-tan mucosa. The anterior wall of the gastric body exhibits multiple perforations. The serosal surface and mucosa of the stomach are otherwise grossly unremarkable. The gastric lumen contains approximately 600 cc of thick food particles. The jejunum and transverse colon each contain at least one perforation. Focal mesenteric hemorrhage is seen. The appendix is present.

**KIDNEYS:** Right kidney- 70 grams, left kidney- 90 grams. The capsules strip easily to reveal smooth cortices with regular contours. The renal parenchyma is pale tan with well-defined corticomedullary junctions. The renal pelvises, ureters and hilar vessels are grossly unremarkable.

**BLADDER:** The urinary bladder contains abundant clear, yellow urine. The muscular wall and bladder mucosa are grossly unremarkable.

**GENITALIA:** The prostate is firm and comprised of lobular, gray-tan parenchyma with no evidence of malignancy. The testes exhibit pericapsular hemorrhage and unremarkable parenchyma.

**BRAIN AND MENINGES:** 1420 grams. The dura mater is disrupted. Acute subdural hemorrhage overlies the right cerebrum, and acute subarachnoid hemorrhage is present bilaterally over the cerebral convexities. There is no displacement of the cingulate gyri, medial temporal lobes, or cerebellar vermis. There is disruption/laceration of the bilateral frontal lobes, corpus callosum, and bilateral basal ganglia with no evidence of edema, neoplasia, or infection. Vasculature and cranial nerves at the base of the brain are intact and free of abnormality. Metal projectiles are recovered from the parenchyma and ventricles. Sections through the brainstem and cerebellum are unremarkable.

**MUSCULOSKELETAL:** Fractures of the skull involve the frontal bone with radiating fractures extending to the parietal bones and to the ethmoid, sphenoid, and right temporal bone at the base of the skull. Fractures of the right anterior 3<sup>rd</sup>-5<sup>th</sup> and left anterior 6<sup>th</sup>-7<sup>th</sup> ribs. Fractures of the right mid-femur, right distal tibia/fibula, and right distal radius/ulna (and fragmentation of the right hand) as described above. The vertebrae and pelvis are intact and free of fracture. Skeletal muscles are red-tan and firm with a mass appropriate for the decedent's age and sex.

OTHER LAB PROCEDURES:		TOX	PHOTO x	DENTAL	FINGERPRINTS x	MICRO x	RADIOLOGY x	PEDIATRICS
HIV	DNA CARD x	GSR	ACCELERANTS		BACTERIOLOGY	VIROLOGY	OTHER:	

**DISPOSITION OF EVIDENCE:**

TYPE	RECIPIENT
None	TOXICOLOGY
Heart blood, femoral blood (EDTA), urine	OCME (hold)
Clothing, personal effects, DNA card, recovered metal and plastic fragments, CD of autopsy photos	INVESTIGATOR
None	FUNERAL HOME

**MICROSCOPIC DESCRIPTION AND CASE SUMMARY**

TISSUE	DESCRIPTION
BRAIN	(Slide 1) Section of the right basal ganglia exhibits tissue damage and intraparenchymal hemorrhage.
LEFT VENTRICLE	(Slide 2) Within normal limits.
LUNG	(Slide 2) Areas of atelectasis, otherwise within normal limits.
KIDNEY	(Slide 3) Within normal limits.
LIVER	(Slide 3) Within normal limits.

**SUMMARY:** As per report, the decedent was found injured in the attic of his residence after an explosion was heard. He was pronounced on scene. The decedent's family was known to be in possession of two grenades, possibly for over a year. There were no suspicions of foul play.

Post-mortem examination demonstrated numerous perforating injuries along with soot deposition of the face, neck, anterior torso, and upper and lower extremities. Anterior surfaces of the clothing were tattered. Injury to the head included fractures of the skull and facial bones, intracranial hemorrhage, and lacerations to the brain. Perforations of the torso fractured multiple ribs and injured the heart, bilateral lungs, liver, and stomach. Avulsion of the right thigh involved the femoral vessels. There were also numerous defects and perforations of the upper and lower extremities. Fatal exsanguination resulted. Irregular metal and black plastic fragments were recovered from all regions of the body. The extensive injury of the right hand, right thigh, and right medial calf along with the relative area of sparing of the left upper-mid thigh and the ordination of cutaneous defects suggest the decedent had his right leg crossed over the left thigh and was holding the explosive device in his right hand resting near the right knee when the explosion occurred.

Police investigation and autopsy findings are consistent with an accidental death.

**CAUSE OF DEATH:** PENETRATING INJURIES OF HEAD, TORSO, AND EXTREMITIES

**MANNER OF DEATH:** ACCIDENT

---

**PATHOLOGIST:** Sara Ohanessian, M.D.

**AUTOPSY:** W-763-20

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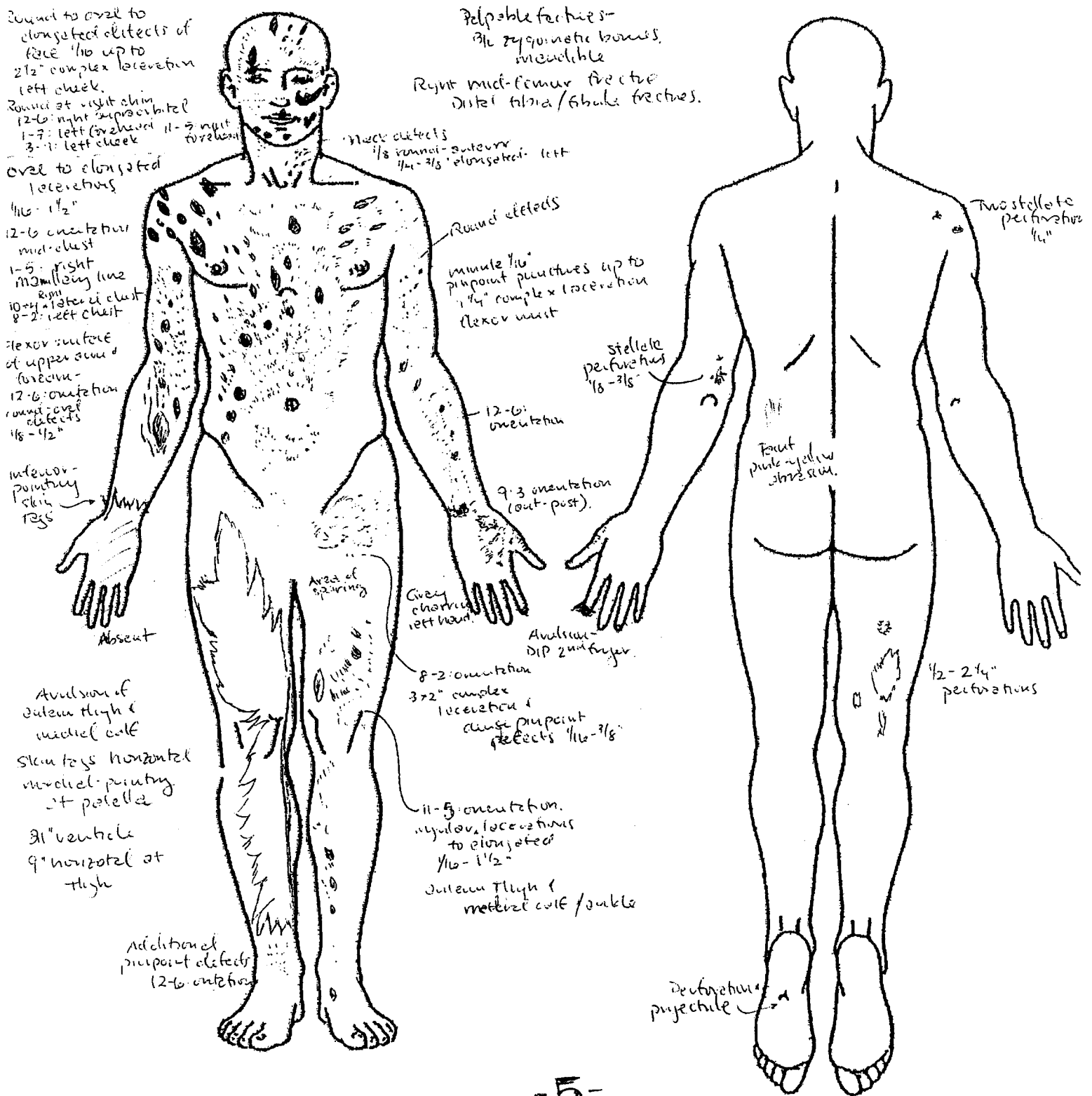
**DATE COMPLETED:** 1/27/21

**DECEDENT:** ASHER HURLEY

---



# BODY DIAGRAM



-5-

DI  
Na W763-20 95918 12/24/2020  
He Asher Hurley 12  
Wi Washington Co. (BCI/Abingdon PD)  
FT Type  
Dr. Ohanessian  
Form CME-BD

## MEDICAL EXAMINER:

Name: \_\_\_\_\_  
Date: \_\_\_\_\_  
Autopsy #: \_\_\_\_\_

911 - CALL





